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Docket No.: 19603/3355 (CRF D-1595E)

PATENT

GP 1639

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72-03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants	: Barany et al.)	Examiner:
)	P. Ponnaluri
Serial No.	: 09/963,698)	
)	Art Unit:
Cnfrm. No.	: 2018)	1639
)	
Filed	: September 26, 2001)	
)	
For	: DETECTION OF NUCLEIC ACID SEQUENCE)	
	DIFFERENCES USING THE LIGASE)	
	DETECTION REACTION WITH)	
	ADDRESSABLE ARRAYS)	

RESPONSE TO RESTRICTION REQUIREMENT AND ELECTION OF SPECIES

Mail Stop:
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

In response to the May 19, 2003, written restriction requirement, applicants hereby elect Group I (i.e., claims 89-112), drawn to a method of forming arrays of oligonucleotides on a solid support with traverse.

However, applicants submit that all groups of invention identified in the outstanding office action are closely related and, therefore, would require common areas of search and consideration. Thus, there is no benefit in having these groups of claims examined and prosecuted in separate applications.

In view of the foregoing, applicants submit that the claims of Groups I and II should be examined on the merits at this time.

Further, in response to the election of species requirement, applicants hereby elect: (a) glass as the species of solid support; (b) different nucleic acid sequences as the species of capture oligonucleotides; (c) carboxyl groups as the species used to functionalize the solid support; (d) an olefin-containing silane was not elected for group (c), therefore, no species must be elected for group (d); (e) acrylic acid as the species of monomer used in

polymerization; (f) o-nitrobenzyloxycarbonyl as the species of photoactivatable protecting group; and (g) barrier oligonucleotides shorter than the capture probes as the species of length of barrier oligonucleotides, capture oligonucleotides, with traverse. Claims reading on the elected species include claims 89-97, 104-109, and 111-119.

Applicants hereby traverse the election of species requirement on the ground that examination of the presently claimed invention can be conducted without significant burden in the absence of reliance on the above-elected species.

Applicants submit that, at a minimum, the elected subject matter is allowable and, therefore, the claims should be examined to the extent of the presently claimed genus.

Applicants further submit that this case is in condition for allowance and such allowance is earnestly solicited.

Respectfully submitted,

Date:

June 19, 2003

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